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PATENT

09/845823

Practitioner's Docket No. 944-003.084

Preliminary Classification:

**Proposed Class:** 

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications.

The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example

'Proposed Class 2, subclass 129." M.P.E.P. § 601, 7th ed.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

#### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): Thierry Bellier, Harri Jokinen and Benoist Sébire

**WARNING:** 37 C.F.R.§ 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(l) is filed supplying or changing the name or names of the inventor or inventors."

For (title): METHOD OF TRANSMITTING SIGNALING MESSAGES

IN A MOBILE TELECOMMUNICATIONS NETWORK

## **CERTIFICATION UNDER 37 C.F.R. § 1.10\***

(Express Mail label number is mandatory) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date April 30, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL762540512US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Judith R. Schick

(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing

label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at

56,442.

١.	ועי	pe (	Application							
	Thi	s n	ew application is for a(n)							
			(check one applicable item below)							
	☑ Original (nonprovisional)									
		□ Design								
			Plant							
WA	RNIN	IG:	"Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 37(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.							
WA	RNIN	IG:	Do not use this transmittal for the filing of a provisional application.							

If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and NOTE: a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.

□ Divisional □ Continuation ☐ Continuation-in-part (C-I-P)

Tune of Application

### 2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designated the United States of America; or
- (ii) Complete as set forth in § 1.51(b); or
- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(I) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120,121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 199, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-byclaim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

☐ Citations

WA	RNING:	When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application <b>must</b> be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).
		The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.
3.	Papers	Enclosed
	(De _8_ Pa _5_ Pa	quired for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 esign) Application ges of specification ges of claims eets of drawings
	WARNIN	G: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).
	NOTE:	"Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm (5/8 inch) down from the top of the page" 37 C.F.R. § 1.84(c)).
		(complete the following, if applicable)
		The enclosed drawing(s) are photograph(s). Three (3) sets of photographs and a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)" are attached. 37 C.F.R. § 1.84(b).  The enclosed drawing(s) are in color. Three (3) sets of color drawings and a "PETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. §§ 1.84(a)(2) and 1.84(b). formal informal
	B. Oth	ner Papers Enclosed
	Pa	ges of declaration and power of attorney ges of abstract ner (Title Page)
4.	Additio	onal papers enclosed
		Amendment to claims
		<ul> <li>□ Cancel in this application claims before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)</li> <li>□ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)</li> </ul>
		Preliminary Amendment
		Information Disclosure Statement (37 C.F.R. § 1.98)
		Form PTO-1449 (PTO/SB/08A and 08B)

(New Application Transmittal [4-1] page 3 of 11)

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[	] / F	Auth Rep Spe	noriz rese cial	quence ation entativ Comm	of e		rney(:	s) t	0	Accept	and	Follow	Instruction	ıs f	rom
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5. [	Declaration or oath (including power of attorney)														
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NOTE	TE: "The inventorship of a nonprovisional application is that inventorship set forth in declaration as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional the inventorship is that inventorship set forth in the application papers filed pursuant unless a petition under this paragraph accompanied by the fee set forth in § 1.17(l) is fill or changing the name or names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).					nd § 1.63(d). In nonprovisional a ed pursuant to § 1.17(I) is filed	fan oa applica § 1.5	ath or ation, 53(b),							
	(		End	losed											
			Exe	cuted	by										
	(check all applicable boxes)														
	1		lega join	t inver	esent ntor o	r pe	rson s	how	ing		rietary	§ 1.42 or interest	1.43. on behalf of	inve	ntor
													and the sem 13 below		
	I	X	Not	Enclo	sed										
NOTE	t I	he U may FOR	J.S. a be tr	pplicati eated a W APF	on con s a co	ntains ntinua	subject tion or	matte contin	er in uati	addition t on-in-part	o the Inte , as the	emational A case may b	or where the co Application, the le, utilizing ADI IOR U.S. API	applio DED P	ation PAGE
										son autl d invent		under 3	7 C.F.R. § 1	.41(c	) on

(The	deci	aration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).						
		☐ Showing that the filing is authorized.  (not required unless called into question. 37 C.F.R. § 1.41(d))						
6. Inv	ento	orship Statement						
WARNING:		If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.						
The inv	ento	rship for all the claims in this application are:						
×	The	e same.						
		or						
		Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.						
		will be submitted						
7. Laı	ngua	age						
NOTE:	An I requ	application including a signed oath or declaration may be filed in a language other than English. English translation of the non-English language application and the processing fee of \$130.00 ired by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may et by the Office. 37 C.F.R. § 1.52(d).						
	X	English						
•		Non English						
		The attached translation includes a statement that the translation is accurate.						
		37 C.F.R. § 1.52(d).						
8. As	sign	ment						
		An assignment of the invention to Nokia Corporation						
		□ is attached. A separate □ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or □ FORM PTO 1595 is also attached.  ☑ will follow.						
NOTE:		an assignment is submitted with a new application, send two separate letters-one for the lication and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).						
WARNIN	IG:	A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 193, 1150 O.G. 62-64.						
	Thi	s is a □ continuation □ divisional application and the assignment						
do	cume	ent for the parent application 0 / was filed on						
	-							
		Reel						
		Frame						

(New Application Transmittal [4-1] page 5 of 11)

9.	Certified Copy					
	Certified copy(ies) of applic	ation(s)				
	Country	Appln. N	10.	<del>-</del>	Filed	
	Country	Appln. N	10.			Filed
	Country	Appln. N	10.			Filed
fron	n which priority is claimed					
	<ul><li>is (are) attached.</li><li>will follow.</li></ul>					
NOT	E: The foreign application form declaration. 37 C.F.R. § 1.55		daii	m for priority m	ust be re	ferred to in the oath or
NOT	E: This item is for any foreign puls. application or Internation § 120 is itself entitled to prior PAGES FOR NEW APPLICATION(S) CLAIMED	nal Application from w rity from a prior foreigr PLICATION TRANSM	hici ap	h this applicatio oplication, then	n claims i complete	benefit under 35 U.S.C. item 18 on the ADDED
10.	Fee Calculation (37 C.F.R	. § 1.16)				
	A. 🗵 Regular applica					
		CLAIMS AS F	FIL	ED		
Nun	nber filed	Number Extra		Rate	3.	Basic Fee 7 C.F.R. § 1.16(a) \$710.00
	al Claims C.F.R. § 1.16(c)) 23 -20 =	0	x	\$18.00 =		54.00
	ependent Claims C.F.R. § 1.16(b)) 3 - 3 =	0	×	\$80.00 =		-0-
	tiple dependent claim(s), ny (37 C.F.R. § 1.16(d))		+	\$270.00		
	☐ Amendment cance☐ Amendment deletir☐ Fee for extra claim	ng multiple-depen	dei	ncies is encl	osed.	
NOT	E: If the fees for extra claims amendment, prior to the exp Office in any notice of fee de	iration of the time per	iod	set for respons		
		Filing Fee Calcu	lat	ion	\$	710.00
	<b>B.</b> □ Design applica (\$310.00 – 37	tion C.F.R. § 1.16(f))				

Filing Fee Calculation

C.	□ Plant application					
	(\$480.00 - 37 C.F.R. § 1.16(g))					
	Filing Fee Calculation \$					
11. Small Entity Statement(s)						
	atement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 (are) attached.					
WARNING:	"Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. § 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent if the nonprovisional application or the reissue application includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).					
WARNING:	"Small entity status must not be established when the person or persons signing the statement can <b>unequivocally</b> make the required self-certification." M.P.E.P., § 509.03, 6 <sup>th</sup> ed., rev. 2, July 1996 (emphasis added).					
	(complete the following, if applicable)					
	☐ Status as a small entity was claimed in prior application					
	/, filed on, from which benefit is being claimed for this application under:					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e),					
	benefit is being claimed for this application under:					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e),					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120,					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121,					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c),					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c), and which status as a small entity is still proper and desired.					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c), and which status as a small entity is still proper and desired. □ A copy of the statement in the prior application is included.					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c),  and which status as a small entity is still proper and desired. □ A copy of the statement in the prior application is included. Filing Fee Calculation (50% of A, B, or C above)					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c),  and which status as a small entity is still proper and desired. □ A copy of the statement in the prior application is included. Filing Fee Calculation (50% of A, B, or C above)					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c),  and which status as a small entity is still proper and desired. □ A copy of the statement in the prior application is included. Filing Fee Calculation (50% of A, B, or C above)  \$					
	benefit is being claimed for this application under:  35 U.S.C. § □ 119(e), □ 120, □ 121, □ 365(c),  and which status as a small entity is still proper and desired. □ A copy of the statement in the prior application is included. Filing Fee Calculation (50% of A, B, or C above)  \$					

13. F	=ee	Pav	/ment	Being	Made	at	This	Time
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X	Not	Enclosed	
	×	No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § 1.16(e) can subsequently.)	be paid
	End	closed	
		Filing fee	\$
		Recording assignment (\$40.00 – 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION.")	\$
		Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.  (\$130.00 - 37 C.F.R. §§ 1.47 and 1.17(i))	\$
		For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$
		Processing and retention fee (\$130.00, 37 C.F.R. §§ 1.52(d) and 1.21(l))	\$
		Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$
NOTE:	for fa to 3 appl	C.F.R. § 1.21(I) establishes a fee for processing and retaining any application is alling to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as 17 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the belication, either the basic filing fee must be paid, or the processing and retest be paid, within 1 year from the notification under § 53(f).	s well as the changes enefit of a prior U.S
	Tot	tal fees enclosed	\$
14. Me	thoc	d of Payment of Fees	
	Atta	ached is a 🛘 check 🗘 money order in the amount of \$	
	Aut	horization is hereby made to charge the amount of \$	
		to Deposit Account No.	
		to Credit card as shown on the attached credit card information PTO-2038.	ion authorization
WARNIN	IG:: 0	Credit card information should <b>not</b> be included on this form as it may become	e public.
		arge any additional fees required by this paper or credit any omanner authorized above.	overpayment in
		A duplicate of this paper is attached.	

## 15. Authorization to Charge Additional Fees

change is to another small entity.

WARNING:		If no fees are to be paid on filing, the following items should <u>not</u> be completed.						
WARNIN	G:	Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.						
		The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.						
		☐ 37 C.F.R. § 1.16(a), (f), or (g) (filing fees) ☐ 37 C.F.R. § 1.16(b), (c), and (d) (presentation of extra claims)						
NOTE:	pres time migl	ause additional fees for excess or multiple dependent claims not paid on filing or on later sentation must only be paid or these claims canceled by amendment prior to the expiration of the period set for response by the P.T.O. in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it has be best not to authorize the P.T.O. to charge additional claim fees, except possibly when ling with amendments after final action.						
		☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)						
		☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))						
		☐ 37 C.F.R. § 1.17 (application processing fees)						
WARNING:		"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).						
		☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))						
NOTE:	of a	ere an authorization to charge the issue fee to a deposit account has been filed before the mailing. Notice of Allowance, the issue fee will be automatically charged to the deposit account at the of mailing the Notice of Allowance. 37 C.F.R. § 1.311(b).						
NOTE:	37 (	C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to						

small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee." From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the

# 16. Instructions as to Overpayment

Customer No. 004955

NOTE:	reas	Amounts of twenty-five dollars or less will no sonable time, nor will the payer be notified of eturned by check or, if requested, by credit to	ot be returned unless specifically requested within a such amounts; amounts over twenty-five dollars may a deposit account." 37 C.F.R. § 1.26(a).
		Credit Account NoRefund	<del> </del>
Date:	4	[30/2001	her Las
Reg. N	o. 4	0,061	SIGNATURE OF PRACTITIONER
Tel. No	. (20	03) 261-1234	Kenneth Q. Lao (type or print name of practitioner Ware, Fressola, Van Der Sluys & Adolphson LLP 755 Main Street P.O. (Correspondence) Address
			P.O. Box 224

Monroe, CT 06468

	Inc	orporation by reference of added pages
	U.S cor PA	eck the following item if the application in this transmittal claims the benefit of prior 5. application(s) (including an international application entering the U.S. stage as a stinuation, divisional or C-I-P application) and complete and attach the ADDED GES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR 5. APPLICATION(S) CLAIMED.)
		Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed  Number of pages added
		Plus Added Pages for Papers Referred to in Item 4 Above
		Number of pages added
		Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.
		Number of pages added
		Plus "Assignment Cover Letter Accompanying New Application"
		Number of pages added
×	Sta	tement Where No Further Pages Added
		(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.

☑ This transmittal ends with this page.